

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Cheetah Omni LLC,

Plaintiff,

vs.

Verizon Services Corporation, et al.

Defendant.

CIVIL ACTION NO. 6:09-cv-260 LED/JDL

JURY TRIAL DEMANDED

**ORDER DISMISSING CLAIMS AND COUNTERCLAIMS REGARDING
UNITED STATES PATENT NO. 7,145,704**

Plaintiff/counter-defendant Cheetah Omni LLC (“Cheetah”), on the one hand, and defendants/counter-plaintiffs Verizon Services Corporation, Verizon Business Network Services Inc., and Verizon Enterprise Delivery LLC (collectively “Verizon”), on the other hand, filed a Stipulation Dismissing Claims and Counterclaims Regarding United States Patent No. 7,145,704 (“Stipulation”), which requests entry of Partial Judgment of Non-Infringement with respect to United States Patent No. 7,145,704 (the ‘704 patent), and which stipulated and agreed to dismissal without prejudice of Verizon’s defenses and counterclaims regarding the ‘704 patent.

Having considered the parties’ Stipulation, IT IS ORDERED:

(1) The Court dismisses Verizon’s defenses and counterclaims relating to the ‘704 patent without prejudice.

(2) The Court enters Partial Judgment of Non-Infringement with respect to the ‘704 patent.

(3) Pursuant to Fed. R. Civ. P. 15(a), the pleadings in this case are hereby amended to reflect this Order.

(4) This Order does not address and is not intended to address the claims and counterclaims directed to U.S. Patent No. 7,522,836.

(5) Each party will bear its own costs, expenses, and attorneys' fees with respect to the claims and counterclaims related to the '704 patent.

SO ORDERED.

So ORDERED and SIGNED this 2nd day of December, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**